

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-1103

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Site Plan

AFFECTED DISTRICT: 1

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: SPM 6-4-09, U-Pull-It, 4000 SW 47 Avenue (M-3) Site Plan
Committee recommended approval with the following conditions: 1) that the building colors be ash gray on the structure, charcoal gray on the inset metal framing, and that a lighter gray be used for the roof color of which the applicant would submit a color sample to staff; and 2) that staff would provide Vice-Chair Lee with a copy of the landscape plan for her review and if need be, the applicant agreed to consider the modifications of the tree heights as it related to a 50-foot tall building verses a 35-foot tall building

REPORT IN BRIEF: The subject site was previously approved for a 35 foot roofed building and accessory uses in January of 2009. However, the applicant desires to increase the height of the building an additional 15 feet to be able to utilize a conveyor mechanism for recycling purposes, including a crane for moving inventory and servicing equipment within this building. Section 12-34(HH)(2), Detailed Use Regulations for Recycling, Scrap Metal and Automobile Wrecking Yards, provides that all equipment must be covered by a roof and at least partially screened from view. There are no additional changes to the site from the original approval other than the façade modifications to increase the height of the building.

PREVIOUS ACTIONS: n/a

CONCURRENCES: At the July 21, 2009 Site Plan Committee meeting, Mr. Breslau made a motion, seconded by Mr. Engel, to approve with the following conditions: 1) that the building colors be ash gray on the structure, charcoal gray on the inset metal framing, and that a lighter gray be used for the roof color of which the applicant would submit a color sample to staff; and 2) that staff would provide Vice-Chair Lee with a copy of the landscape plan for her review and if need be, the applicant agreed to consider the modifications of the tree heights as it related to a 50-foot tall building verses a 35-foot tall building. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – absent.
(Motion carried 4-0)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. If approved, in addition to the Site Plan Committee recommendations, Staff is recommending the following condition:

1. Modify proposed windows to be proportional to the façade (double the size).

Attachment(s): Planning Report, Exhibits

Application: SPM 6-4-09/09-84/ U-Pull-It Phase I
Original Report Date: 07/13/09

Revision: 08/04/09

TOWN OF DAVIE
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner

Name: Lawrence Danielle
Address: 4000 SW 47th Avenue
City: Davie, Florida 33314
Phone: (954) 295-0042

Petitioner

Name: Pillar Consultants, Inc.
Address: 5230 S. University Drive-Suite 104
City: Davie, Florida 33328
Phone: (954) 680-6533

Background Information

Request: Site plan modification approval for a new 50 foot high building

Address: 4000 SW 47th Avenue

Location: Generally located south of Oaks Road and west of 441/SR7

Future Land Use Plan Map: Industrial

Existing Zoning: M-3, Planned Industrial Park District

Existing Use: Automobile wrecking yard

Parcel Size: 4.96 Acres (215,903 Square Feet)

	<u>Surrounding Use(s):</u>	<u>Surrounding Land Use Plan Map</u>
	<u>Designation(s):</u>	
North:	Automobile wrecking yard, Warehouses	Industrial
South:	Automobile wrecking yard	Industrial
East:	Automobile wrecking yard	Industrial
West:	Warehouses	Industrial

Surrounding Zoning(s):

North: M-4 (County) Limited Heavy Industrial District, M-3, Planned Industrial Park District

South: M-3 (Hacienda Village) General Industrial District, M-4 (Hacienda Village) Limited Heavy Industrial District, M-3, Planned Industrial Park District

East: M-3 (County), M-1 (County), M-2 (Hacienda Village, B-3 (County)

West: M-4 (Hacienda Village) Limited Heavy Industrial District, M-3, Planned Industrial Park District

Zoning History

Related zoning history:

Records indicate that the existing Zoning and Future Land Use Plan Map designation were in place at the time of annexation.

Previous application requests:

Site Plan Application (SPM 6-1-08), At the January 7, 2009 Town Council meeting the site plan modification for a roofed working area and parking was approved.

Plat Application (P 6-1-08), At the January 7, 2009 Town Council meeting the plat known as “Danielle Plat” was approved.

Rezoning Application (ZB 8-4-05), At the January 21, 2009 Town Council meeting, this application to rezone the approximately 32 acre subject site from M-4 (Hacienda Village) Limited Heavy Industrial District, M-3 (Hacienda Village) General Industrial District, and M-4 (County) Limited Heavy Industrial District to M-3, Planned Industrial Park District was approved.

Concurrent Request(s) on same property:

Variance Request (V 6-1-09), an application requesting a variance from the required 35 foot maximum height to provide a 50 foot maximum height.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (J) (13)), Planned Industrial Park (M-3) District. The M-3 District is intended to implement the industrial classification of the Town of Davie Comprehensive Plan by providing for planned industrial parks which can accommodate light, medium or selected heavier industrial uses in an open, uncrowned and attractive manner through limitations on setbacks and coverage, and for other permitted uses. M-3 Districts are not intended for locations abutting residential property.

Land Development Code (Section 12-83), Conventional Nonresidential Development Standards, M-3 District, requires the following: lot area of 43,560 square feet, 150 feet frontage, 20% minimum open space (ratio), and 35’ maximum building height.

Land Development Code Section 12-34(HH)(2), Detailed Use Regulations for Recycling, Scrap Metal and Automobile Wrecking Yards provides that all equipment must be covered by a roof and at least partially screened from view. *Recycling, Scrap Metal Processing and Automobile wrecking yards.*

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 6. Planning Area 6 includes lands located south of State Road 84, east of University Drive and north of Nova Drive,

together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to parcels on Nova Drive.

Broward County Land Use Plan:

The subject site falls within Flexibility Zones 97 and 98

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Objective 17: Land Use Compatibility and Community Appearance, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

1. *Site:* The subject site was previously approved for a 35 foot roofed building and accessory uses in January 2009. However, the applicant desires to increase the height of the building an additional 15 feet to be able to utilize a conveyor mechanism for recycling purposes, a crane for moving inventory, and servicing equipment within this building. As per Section 12-34(HH)(2), Detailed Use Regulations for Recycling, Scrap Metal and Automobile Wrecking Yards provides that all equipment must be covered by a roof and at least partially screened from view. There is no additional changes to the site from the original approval other than the façade modifications to increase the height of the building.
2. *Architecture:* The architecture of the proposed building is consistent with the newly adopted regulations Section 12-34 (HH), Recycling Scrap Metal Processing and Automobile Wrecking Yards with regards to design, articulation, appearance, and façade elements.
3. *Compatibility:* Cranes and conveyors are machinery associated with industrial uses and therefore compatible with the M-3, Planned Industrial Park District. In the M-3 district, machinery higher than 35 feet is not required to be indoors, except for scrap metal and recycling uses. The request will allow the machinery associated with scrap metal and recycling to be enclosed as required in Section 12-34(HH)(2), making the proposed building, compatible with the Detailed Use Regulations for this type of use.

The proposed elevations depicting a 50 foot building height are inconsistent with the current district's maximum height of 35 feet. However, the Town of Davie is in the process to convert the area where this property is located into a Transit Oriented Development (TOC) District, with more flexible maximum heights.

Staff Analysis

The petitioner's site use is consistent with the *Comprehensive Plan and the Land Development Code Section 12-34(HH), Recycling, Scrap Metal Processing and Automobile wrecking yards*. However, the proposed site plan is inconsistent with the Land Development Code as it relates to height. Therefore, the applicant is seeking a variance approval in conjunction with this application.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. If approved, staff is recommending the following condition:

1. Modify proposed windows to be proportional to the façade (double the size).

Site Plan Committee Recommendation

At the July 21, 2009 Site Plan Committee meeting, Mr. Breslau made a motion, seconded by Mr. Engel, to approve with the following conditions: 1) that the building colors be ash gray on the structure, charcoal gray on the inset metal framing, and that a lighter gray be used for the roof color of which the applicant would submit a color sample to staff; and 2) that staff would provide Vice-Chair Lee with a copy of the landscape plan for her review and if need be, the applicant agreed to consider the modifications of the tree heights as it related to a 50-foot tall building verses a 35-foot tall building. In a roll call vote, the vote was as follows: Chair Venis – yes; Vice-Chair Lee – yes; Mr. Breslau – yes; Mr. Engel – yes; Mr. Evans – absent. (Motion carried 4-0)

Community Redevelopment Agency (CRA) Board Recommendation

At the August 3, 2009 CRA Board meeting, this item was unanimously approved with site plan and staff recommendations.

Town Council Action

Exhibits

1. Petitioner's Justification Letter
 2. Future Land Use Plan Map
 3. Aerial, Zoning, and Subject Site Map
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Prepared by: _____
Reviewed by: _____

File Location: P&Z\Development Applications\Applications\SP_Site Plan\SPM_09\SPM 6-4-09 U-Pull-It

Exhibit 1 (Petitioner's Justification Letter)

PILLAR

CONSULTANTS INC.

LETTER OF INTENT
from ULDC Sec. 12-54
June 8, 2009

The subject property consists of land containing approximately 4.97 Acres with future industrial land use (zoned M-3). It is located in Section 25, Township 50 South, Range 41 East and lies in the Town of Davie, Broward County, Florida.

Larry Danielle is the record owner of the subject property.

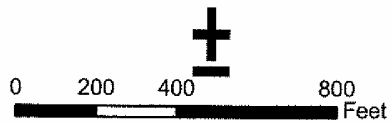
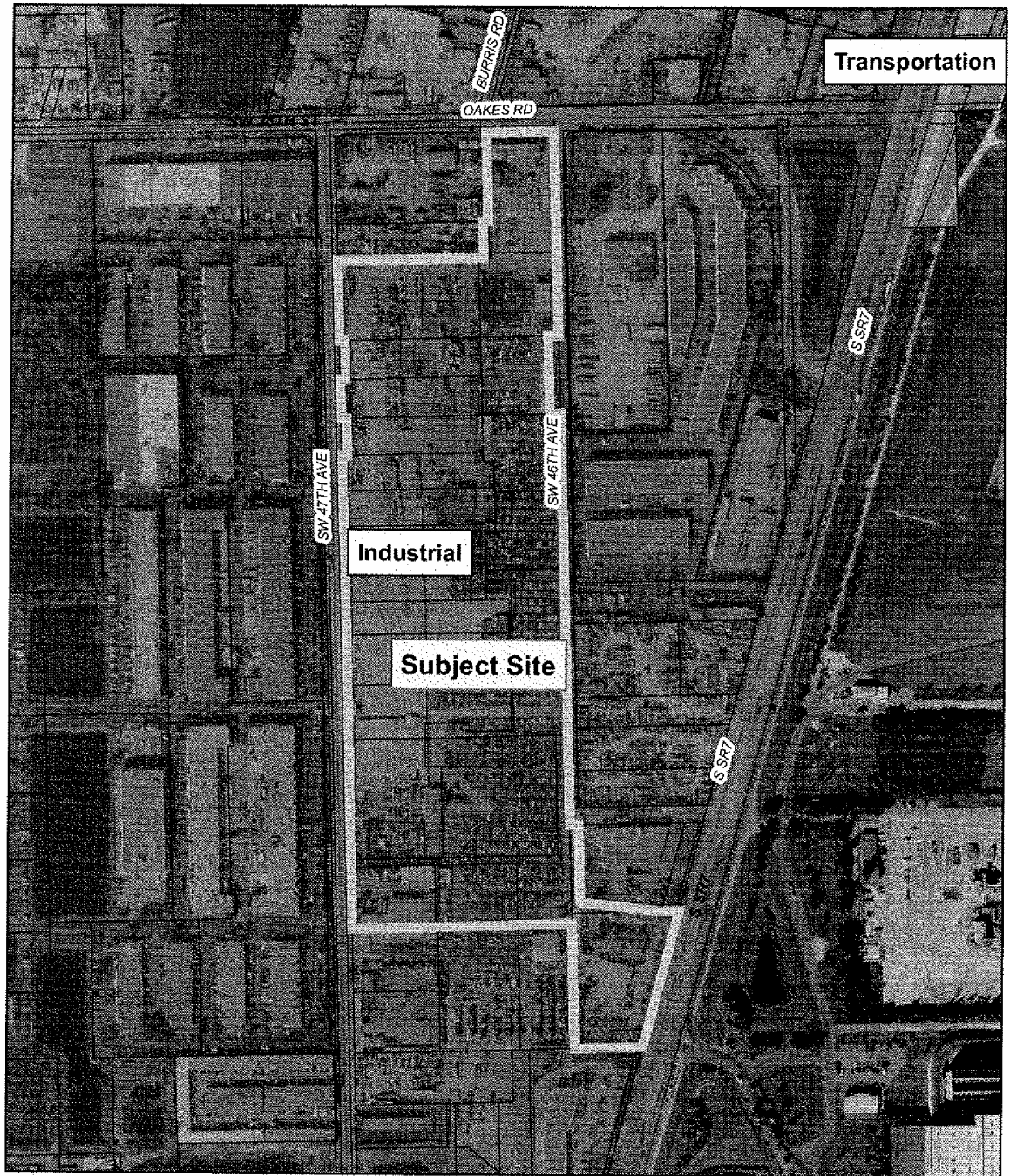
The purpose of the requested site plan modification is for raising the currently approved 35' high building to a height of 50'.

TO
REALITY

Consulting Engineers • Planners • Surveyors

5230 SOUTH UNIVERSITY DRIVE, SUITE 104 • DAVIE, FLORIDA 33328 • OFFICE 954-680-6533 • FAX 954-680-0323

Exhibit 2 (Future Land Use Map)



Prepared by the Town of Davie GIS Division

Plat
P 6-1-08
Future Land Use Map

Prepared by: ID
Date Prepared: 7/23/08

Exhibit 3 (Aerial, Zoning, and Subject Site Map)

